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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/820,988	CHI ET AL.	
	Examiner	Art Unit	
	Victor Lesniewski	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/22/2005</u> | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The amendment filed 6/14/2005 has been placed of record in the file.
 2. Claims 1 and 11 have been amended.
 3. Claims 1-20 are now pending.
 4. The applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the following new grounds of rejection.
 5. The status identifier for claim 11 in the amendment has been found to be improper.
- Please refer to 37 CFR 1.21(c) and submit the proper status identifiers in any future amendments.

Continued Examination Under 37 CFR 1.114

6. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 7/14/2005 has been entered.

Information Disclosure Statement

7. The IDS filed 8/22/2005 has been considered.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1, 2, 4, 6-12, 14, and 16-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Herz (U.S. Patent Number 6,029,195).

10. Herz has disclosed:

- <Claim 1>

A method for identifying user types in a collection of connected content portions comprising: determining at least one significant user path of connected content portions (column 65, lines 49-54), determining a multi-modal user path user information need for each at least one significant user path (column 7, lines 4-9) and the user information need includes a value that reflects a probability that a user will browse through a content portion in at least one significant user path (column 57, lines 11-37); for each content portion comprising each of the at least one significant user path, determining a multi-modal content portion feature information including a content feature information, connection feature information, inward connection feature information and outward connection feature information (column 7, lines 1-4; column 10, lines 37-52; and column 12, line 61 through column 13, line 19); combining each multi-modal content portion feature information for the user path with the multi-modal user path user information need (column 7, lines 9-18); determining a similarity function and a measure of similarity for the multi-modal user path information (column 15, line 34 through column 17, line 57); determining a multi-modal clustering type (column 24, line 40 through column 25, line 10); clustering the multi-modal user path information based on the multi-modal

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clustering type, the similarity function and the measure of similarity (column 23, lines 60-66).

- <Claim 2>

The method of claim 1, wherein the multi-modal user path user information need is a multi-modal user path information need vector and the multi-modal content portion feature information is a multi-modal content portion feature vector (column 15, lines 53-60).

- <Claim 4>

The method of claim 2, wherein determining content feature information is based on weighted word frequency of each content portion (column 13, lines 54-67).

- <Claim 6>

The method of claim 2, wherein determining the inward connection feature information and the outward connection feature information further comprises normalizing the inward connection feature information and the outward connection feature information (column 66, lines 1-64).

- <Claim 7>

The method of claim 2, wherein the similarity functions is based on determining the cosine between two multi-modal vectors (column 16, lines 40-48).

- <Claim 8>

The method of claim 2, wherein the multi-modal clustering type is at least one of K-means clustering, wavefront clustering (column 24, lines 9-15).

- <Claim 9>

The method of claim 2, wherein each content portion in the user path is weighted using at least one of a content portion access frequency weighting, a weighting of the content portion based on content portion position in the user path (column 57, lines 12-16).

- <Claim 10>

The method of claim 2, wherein each multi-modal feature vector may be independently weighted (column 16, lines 49-62).

- <Claim 11>

A system for identifying user types in a collection of connected content portions comprising: a controller circuit, a memory circuit, an input/output circuit; a multi-modal clustering type determining circuit; a content determining circuit; a usage determining circuit; a topology determining circuit (figures 1 and 2 and column 34, line 46 through column 35, line 55); a user path determining circuit that determines at least one significant user path of connected content portions (column 65, lines 49-54); a multi-modal user path user information need determining circuit that determines a user information need for each user path (column 7, lines 4-9) and the user information need includes a value that reflects a probability that a user will browse through a content portion in at least one significant user path (column 57, lines 11-37); multi-modal content, multi-modal connection, multi-modal inward connection and multi-modal outward connection feature information determining circuits that determine multi-modal content, multi-modal connection, multi-modal inward connection and multi-modal outward connection feature information for each content portion comprising a user path

(column 7, lines 1-4; column 10, lines 37-52; and column 12, line 61 through column 13, line 19); wherein the controller combines each content portion multi-modal content, multi-modal connection, multi-modal inward connection and multi-modal outward connection feature information for the user path with the multi-modal user path user information need into a multi-modal user type (column 7, lines 9-18); a similarity function determining circuit for determining similarity between two multi-modal information (column 15, line 34 through column 17, line 57); a multi-modal clustering circuit that clusters the multi-modal user type information based on the multi-modal clustering type, the similarity function and a specified measure of similarity (column 23, lines 60-66).

- <Claim 12>

The system of claim 11, wherein the multi-modal user path user information need is a multi-modal user path information need vector and the multi-modal content portion feature information is a multi-modal content portion feature vector (column 15, lines 53-60).

- <Claim 14>

The system of claim 12, wherein the multi-modal content feature information determining circuit determines words based on weighted word frequency of each content portion (column 13, lines 54-67).

- <Claim 16>

The system of claim 12, wherein the multi-modal inward connection feature determining circuit and the multi-modal outward connection feature determining circuit normalize the

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inward connection feature information and the outward connection feature information (column 66, lines 1-64).

- <Claim 17>

The system of claim 12, wherein the similarity function determining circuit determines similarity based on the cosine between two multi-modal vectors (column 16, lines 40-48).

- <Claim 18>

The system of claim 12, wherein the multi-modal clustering type is at least one of K-means clustering, wavefront clustering (column 24, lines 9-15).

- <Claim 19>

The system of claim 12, wherein each content portion in the user path is weighted by at least one of a content portion access frequency weighting circuit that weights the content portion based on access frequency, a path position weighting circuit that determines a weighting based on the position of the content portion within the user path (column 57, lines 12-16).

- <Claim 20>

The system of claim 12, further comprising a multi-modal feature weighting circuit that weights each multi-modal feature vector independently (column 16, lines 49-62).

Since all the limitations of the invention as set forth in claims 1, 2, 4, 6-12, 14, and 16-20 were disclosed by Herz, claims 1, 2, 4, 6-12, 14, and 16-20 are rejected.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz, as applied above, in view of applicant's admitted prior art, namely "Mining Longest Repeating Subsequences to Predict World Wide Web Surfing" by James Pitkow and Peter Pirolli, October 1999, hereinafter referred to as Prior.

13. Herz disclosed a system for customized electronic identification of desirable objects. In an analogous art, Prior disclosed procedures for modeling and predicting user surfing paths. Just as Herz's invention, Prior tracks specific information about each user as they move throughout the established content.

14. Concerning claims 3 and 13, Herz did not explicitly disclose that his system calculated the longest repeating sub-sequence. However, Prior uses the longest repeating sub-sequence to find significant web surfing patterns. See Section 1. Since the inventions encompass the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system provided by Herz by adding the ability to calculate the longest repeating sub-sequence as provided by Prior. This would make sense because it would aid the system of Herz in finding specific paths to desirable objects for the user.

15. Thereby, the combination of Herz and Prior discloses:

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- <Claim 3>

The method of claim 2, wherein determining significant user paths uses the longest repeating sub-sequences (Prior, Introduction paragraph 2).

- <Claim 13>

The system of claim 12, wherein the user path determining circuit determines significant user paths using the longest repeating sub-sequences (Prior, Introduction paragraph 2).

Since the combination of Herz and Prior discloses all of the above limitations, claims 3 and 13 are rejected.

16. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz, as applied above, in view of Johnson et al. (U.S. Patent Number 5,878,384), hereinafter referred to as Johnson.

17. Herz disclosed a system for customized electronic identification of desirable objects. In an analogous art, Johnson disclosed procedures for monitoring information flow and performing data collection in a network. Just as Herz's invention, Johnson tracks specific information about each user as they move throughout the established content.

18. Concerning claims 5 and 15, Herz did not explicitly disclose that his system could break down the URL into constituent words. However, Johnson's system searches based on URL string components and thus must break down the URL. See column 6, lines 1-31. Furthermore, analysis of the component strings of a URL is well known in the art for various tasks in networking. Since the inventions encompass the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the

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system provided by Herz by adding the ability to break down the URL into constituent words as provided by Johnson. This would make sense because it would aid the system of Herz in finding specific paths to desirable objects for the user.

19. Thereby, the combination of Herz and Johnson discloses:

- <Claim 5>

The method of claim 2, wherein determining the connection feature information comprises breaking the connection portion into constituent words using "/" and "." as word boundaries (Johnson, column 6, lines 26-31).

- <Claim 15>

The system of claim 12, wherein the multi-modal connection feature information determining circuit determines connection features by breaking the connection portion or link into constituent words using "/" and "." as word boundaries (Johnson, column 6, lines 26-31).

Since the combination of Herz and Johnson discloses all of the above limitations, claims 5 and 15 are rejected.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Payton (U.S. Patent Number 6,681,247) disclosed a system for tracking and correlating user activities with respect to information resources on a network.

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21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor Lesniewski
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Dung C. Dinh
Primary Examiner